

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:

Chapter 11

SEARS HOLDINGS CORPORATION, *et al.*,

Case No. 18-23538 (SHL)

Debtors.

(Confirmed)
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ORDER SCHEDULING STATUS CONFERENCE

On February 9, 2021, the above-captioned debtors (the “Debtors”) filed the *Debtors’ Twenty-Third Omnibus Objection to Proofs of Claim (No Liability Claims)* [ECF No. 9284] (the “Omnibus Objection”). The Omnibus Objection, among other things, objected to Proofs of Claim No. 24733 and 24734 (the “Claims”) filed by Mr. Beau LeBaron. Mr. LeBaron subsequently filed an opposition to the Omnibus Objection and the Debtors filed a reply. *See* ECF Nos. 9336, 9539, 10002, 10058.

On November 10, 2021, a hearing was held on the Omnibus Objection (the “Hearing”), at which Mr. LeBaron appeared on a *pro se* basis. *See generally* Hr’g Tr. 29:13-53:14 (Nov. 10, 2021) [ECF No. 10084]. During the Hearing, the Court heard oral argument on the Omnibus Objection and gave certain preliminary rulings with respect to the Claims. *See id.* at 51:23-52:14; 53:11-14. The Court also directed that the Debtors and Mr. LeBaron engage in discussions regarding the Claims. *See id.* at 51:17:22; 52:16-19.

Mr. LeBaron subsequently filed additional papers relating to the Claims. *See* ECF Nos. 10362, 10790, 10794. The Debtors set a further hearing on the Omnibus Objection, but it was cancelled and does not appear to have been rescheduled. *See Notice of Hearing on the Debtors’ Twenty-Third Omnibus Objection to Proofs of Claim (No Liability Claims) Relating to Claim Nos. 24733 and 24734 Scheduled for August 23, 2022 at 10:00 A.M. (ET)* [ECF No. 10451]; *Notice of Cancellation and Adjournment of August 23, 2022 Zoom Hearing to a Date to Be*

Determined [ECF No. 10589]. Mr. LeBaron has repeatedly contacted the Court to inquire about the status of his Claims.¹

Based upon the various pleadings and the record of the Hearing, it is hereby:

ORDERED, that both the Debtors and Mr. LeBaron appear at a status conference on **March 29, 2023 at 11:00 a.m. (EST)** before the Honorable Sean H. Lane, via Zoom (the “Status Conference”). Parties wishing to participate in the Status Conference must register their appearance utilizing the Electronic Appearance portal located on the Court’s website at: <https://ecf.nysb.uscourts.gov/cgi-bin/nysbAppearances.pl>. Appearances must be entered no later than 4:00 P.M. (EST) on March 28, 2023. Additional information concerning how to participate in the Status Conference is available in the Court’s Zoom Video Hearing Guide, available at: <https://www.nysb.uscourts.gov/zoom-video-hearing-guide>; and it is further

ORDERED, that the Status Conference will not be a hearing on the merits of the Omnibus Objection. Instead, the Debtors and Mr. LeBaron should be prepared to advise the Court on the current status of the Omnibus Objection, any progress that has been made through discussions between the parties, and the scheduling of further proceedings. Any further hearing on the merits will be set by the Court at the Status Conference.

Dated: White Plains, New York
March 6, 2023

/s/ Sean H. Lane
UNITED STATES BANKRUPTCY JUDGE

¹ The Hearing was presided over by Judge Robert D Drain. On July 2, 2022, the above-captioned cases were reassigned to Judge Sean H. Lane. *See Notice of Case Reassignment* [ECF No. 10516]. Mr. LeBaron has emailed both Judge Drain and Judge Lane directly about the status of proceedings. The Court therefore entered an *Order Regarding Contact with Chambers* [ECF No. 10705], which bars Mr. LeBaron from contacting the Court by email. The Order directed Mr. LeBaron to submit any further pleadings to the Court either in person or by U.S. mail. *See id.*

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